

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

CAR-FRESHNER CORPORATION, <i>et al.</i>)	
)	
Plaintiffs,)	
)	Case No. 5:19-cv-01158-GTS-ATB
v.)	
)	
SCENTED PROMOTIONS, LLC, <i>et al.</i>)	
)	
Defendants.)	
)	

DECLARATION OF SCENTED PROMOTIONS, LLC

I, PAULINA SLUSARCZYK, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury under the laws of the United States of America that the following is true and correct, unless stated upon information and belief:

1. I am the owner and President of Defendant Scented Promotions, LLC. I have held that position for more than five (5) months. Prior to that, I was the general manager of Scented Promotions, LLC. I reside in Henderson, Nevada. This declaration is based upon my personal knowledge of the matters set forth herein and the business records maintained by Scented Promotions, LLC.
2. I respectfully submit this declaration in support of Scented Promotions LLC's motion to dismiss this action for lack of personal jurisdiction.
3. Scented Promotions, LLC is organized under the laws of the state of Nevada, with its principal place of business in Las Vegas, Nevada. It is a closely held company.
4. Scented Promotions, LLC neither owns nor leases any place of business in New York.
5. Scented Promotions, LLC has no employees who reside anywhere in New York or in the Northern District of New York specifically.
6. Scented Promotions, LLC has no bank accounts in New York.

7. Scented Promotions, LLC pays no taxes in New York.
8. Scented Promotions, LLC does not design their products in New York.
9. Scented Promotions, LLC does not manufacture their products in New York.
10. Scented Promotions, LLC has not attended any trade shows in New York.
11. Other than the contrived sale of the allegedly infringing product to the Plaintiffs' agent Ms. Waite-Holland, Scented Promotions has not sold any product allegedly bearing the mark BLACK ICE in New York.

12. In 2019, Scented Promotions had only a single sale to a customer in New York and that sale accounted for less than 0.05% of Scented Promotions total sales in 2019. Scented Promotions has had no sales in New York in 2020.

13. The single sale in 2019 to a New York customer was for a product not implicated in this case.

14. This dispute has no connection to any business Scented Promotions, LLC has done in New York. The sales in 2019 of regular retail air fresheners to plaintiffs' agent, who purchased said product through smellycharms.com was about \$100.00.



Dated: May 13, 2020

PAULINA SLUSARCZYK